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Résumé de l'article

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terminer les instances dont elle est alors saisie et dont l'audition est terminée. »

the cases then pending before him and the hearing of which is terminated. »

2. La présente loi entre en vigueur le jour de sa sanction.

2. This act shall come into force on the day of its sanction.

Re-examination and Re-organization of Relations Between Workers and Management

A.G. CARDINAL CICOGNANI

The Catholic Conference on Social Life was held in Halifax, October 13-15. At this occasion on behalf of Pope John XXIII, Cardinal Cicognani sent the following Message.

As His Holiness recently stated in the great Encyclical « Mater et Magistra », far-reaching changes have taken place in this postwar period in the economic and social fields; and these changes have had their repercussion on the means of production, and hence upon the relations between workers and management.

Hence it is opportune today that these relations be re-examined and re-organized; but also that such re-organization be made according to the principles and criteria of justice and wisdom, such as have been developed in the Church's teaching, particularly in the documents of Popes Leo XIII (« Rerum Novarum »), Pius XI (« Quadragesimo Anno »), Pius XII (Pentecost Message, 1941, and Christmas Message, 1942) and of Pope John XXIII (« Mater et Magistra »).

Productive processes must be determined in a rational way. Otherwise they waste both human energy and the means of production. This constitutes an infraction of the laws of economy; but it also injures the moral order, since it is not licit to waste riches uselessly. Nevertheless, the indexes of productivity and production cannot be taken as supreme criteria in the organization of productive processes; such indexes must be pursued in accordance with the requirements of the moral order, safeguarding the human dignity of all those engaged in production.

It follows that in studying the processes of production, and in re-organizing the relations between workers and management, the following principles and criteria must be observed:

1.—Working conditions must be such as to safeguard the physical health of workers and their moral integrity. In other words, hygiene must be practised, accidents and occupational diseases averted, working hours kept within reasonable limits, women and particularly married women and mothers treated with due regard, young people employed only when sufficiently mature and never for work that might compromise their natural development, and every danger to good morals or to religious feelings avoided. In this regard, the rules laid down by Pope Leo XIII in « Rerum Novarum » are still timely, and indeed have served as guides in the social legislation of those political communities most interested in human progress.

2.—Payment for work must not be completely left to the laws of the marketplace, nor fixed in an arbitrary manner. Rather must it be determined according to principles of justice and equity, proposed by Pope Pius XI in «*Quadragesimo Anno*» and exposed in greater detail by the reigning Sovereign Pontiff in His recent Encyclical «*Mater et Magistra*» in these words: «Workers should be paid a wage which allows them to live a truly human life and to face up with dignity to their family responsibilities; but it requires, too, that in the assessment of their remuneration regard be had to their effective contribution to production and to the economic state of the enterprise; to the requirement of the common good of the respective political communities, especially with regard to the repercussions on the overall employment of the labor force in the entire country; as also to the requirements of the universal common good, that is, of the international communities of different nature and scope. It is clear that the standards of judgment set forth above are binding always and everywhere, but the degree according to which concrete cases are to be applied cannot be established without reference to the available wealth, wealth which can vary both in quantity and quality, which can, and in fact does, vary from country to country and within the same country from time to time».

It is also opportune to bear in mind the following exhortation of His Holiness: «In many economies today, the medium and large enterprises not rarely effect rapid and large productive developments by means of self-financing. In such cases We hold that the workers should acquire shares in the firms in which they are engaged, especially when they earn no more than the minimum salary. In this matter, to be recalled is the principle explained by Our Predecessor Pius XI in the Encyclical «*Quadragesimo Anno*»: «it is totally false to ascribe to capital alone or to labor alone that which is obtained by the joint effort of the one and the other; and it is flagrantly unjust that either should deny the efficacy of the other and seize all the profits». The demand of justice referred to can be satisfied in many ways suggested by experience. One of these, and among the most desirable, is to see to it that the workers, in the manner and to a degree most convenient, be able to participate in the ownership of the enterprise itself; since today more than in the times of Our Predecessor «every effort, therefore, must be made that at least in the future only a just share of the fruits of production be permitted to accumulate in the hands of the wealthy, and an ample sufficiency be supplied to the workingmen».

3.—It is, however, impossible to create an atmosphere of serenity in the organizations of production unless the uneasiness of workingmen, arising from the uncertainty of their future, can be eliminated or reduced as far as possible. This can be done by setting up opportune systems of social insurance or social security, capable of protecting them in those events which either impair their working ability (accidents, illness, old age), increase their responsibilities (marriage, parenthood), or force them to involuntary idleness (unemployment).

«But social justice cannot be said to have been satisfied», affirms Pope Pius XI in the Encyclical «*Divini Redemptoris*», «...as long as workingmen and their families... cannot make suitable provision through public or private insurance for old age, for period of illness and unemployment inside the enterprise itself can contribute efficaciously to the development of good relations between workers and

management. To obtain this aim, however, it is essential that the social workers engaged should be competent, humane, and free from pressure from interested parties.

4.—Even social services operated inside the enterprise itself can contribute efficaciously to the development of good relations between workers and management. To obtain this aim, however, it is essential that the social workers engaged should be competent, humane, and free from pressure from interested parties.

5.—As far as possible, each worker should fill the post which best corresponds to his ability, his zeal and his merits. Promotion to higher posts inside the firm, and salary increases, must be given with objective criteria which are equal for all, and inspired by justice and equity.

6.—Provided the principle of unity and efficiency of management is ensured, the desire of workmen to participate actively in the life of the firm where they work is a legitimate one, and must be satisfied to the degree and in the manner permitted by the actual situation.

7.—« We also hold as justifiable », declares the Holy Father in His Encyclical « Mater et Magistra », « the desire of the employees to participate in the activity of the enterprises to which they belong as workers. It is not feasible to define *a priori* the manner and degrees of such participation, since these depend on the specific conditions prevailing in every enterprise — conditions that can vary from one to another, and even within the one enterprise are frequently subject to quick and substantial changes. But We think it fitting to call attention to the fact that the problem of the participation of the workers is an ever-present one, whether the enterprise is private or public; at any rate, every effort should be made that the enterprise become a community of persons in the dealings, activities and standing of all its members. This demands that the relations between the employers and directors on the one hand, and the employees on the other, be marked by appreciation, understanding, a loyal and active cooperation, and devotion to the undertaking common to both, and that the work be considered and effected by all the members of the enterprise, not merely as a source of income, but also as the fulfilment of a duty and the rendering of a service. This also means that the workers may have their say in and may make their contribution to the efficient running and development of the enterprise. Our Predecessor, Pius XII, remarked that the economic and social function which every man aspires to fulfill, demands that the carrying on of the activity of each one is not completely subjected to the will of others. A humane view of the enterprise ought undoubtedly to safeguard the authority and necessary efficiency of the unity of direction, but it must not reduce its daily co-workers to the level of simple and silent performers. without any possibility of bringing to bear their experience, entirely passive in regard to decisions that regulate their activity ».

8.—Finally, attention must be paid to the fact that, following upon ever wider application of processes of automation, the means of production, particularly in certain sectors of industry and personal service, are subject to rapid and far-reaching changes. This in turn can have immediate negative repercussions upon workmen, especially in what affects the stability of their employment.

It is therefore an exigency of social justice that such application be made in such a way that the immediate negative results of automation should not be borne exclusively by the workers or by certain groups of workers. Rather should such negative results weigh equally, or even more heavily, upon the investors of capital

and, when opportune, even upon all the members of the political community, since all, in the final analysis, benefit by such changes of automation. This can the more surely be obtained when the workers, through their unions and organizations, are present and have a voice in the implementation of processes of automation.

It is obvious that workers will be able to assume responsibilities in production processes when they are properly prepared to do so, that is, when they are professionally instructed and socially educated. The schools can and must make their contribution to this; but an equally important contribution can be made by the workers themselves through the wise utilization of their free time; and appropriate institutions promoted by common accord between workers and their organizations on the one hand, and management and direction on the other, can also contribute validly and usefully. In this regard, the Pontife's exhortation in «*Mater et Magistra*» should be borne in mind: «*In social education the Associations and Organizations of the Lay Apostolate play an important role, especially those that have as their specific objective the Christianization of the economic and social sectors of the temporal order. Indeed, many members of these Associations can draw profit from their daily experiences to form themselves more completely and also to contribute to the social education of youth*».

RECENSIONS

Trade Union Democracy in Western Europe, par Walter Galenson, University of California Press, Berkeley and Los Angeles, 1961, 97 pp.

L'auteur, qui a déjà dirigé la publication d'un ouvrage en collaboration, *Comparative Labor Movements*, nous donne ici une description sommaire de la structure et du fonctionnement des syndicats ouvriers dans certains pays d'Europe occidentale: Italie, France, Belgique, Hollande, Autriche, Grande-Bretagne et pays scandinaves. Comme le centre d'intérêt est de découvrir le genre de démocratie qui existe dans ces groupements, il est naturellement amené à vérifier jusqu'à quel point on rencontre les critères qui sont souvent utilisés pour établir la démocratie syndicale: concurrence syndicale, participation des membres à la vie syndicale, affiliation obligatoire, répartition de l'autorité entre la centrale nationale, les fédérations et des groupements locaux, etc.

Il ressort de cette étude que le syndicalisme ouvrier, comme les autres institutions, est essentiellement un produit de la culture, de l'histoire, du régime économique et politique d'un pays déter-

miné. Il existe, sans doute, des phénomènes qui se trouvent partout. Ainsi, par exemple, une certaine désaffection vis-à-vis du syndicalisme à mesure que celui-ci atteint une certaine maturité. Toutefois, les mêmes causes produisent des effets différents dans des contextes différents. Le pluralisme syndical peut, à la fois, être élément de faiblesse ou de puissance syndicale, comme il peut aussi contribuer à la démocratie syndicale autant qu'à la concentration du pouvoir entre les mains des dirigeants. «*We must guard against any erroneous postulation of a necessary one-to-one relationship between union democracy and union rivalry*». Structures et pratiques syndicales ne sont pas des denrées exportables.

Il reste, cependant, que l'étude comparative des divers mouvements syndicaux est utile pour mieux faire comprendre le syndicalisme que nous avons ici, en Amérique. L'auteur, d'ailleurs, y fait des références constantes. Nous croyons que tous ceux qui s'arrêtent à vouloir repenser notre syndicalisme auraient grand intérêt à connaître cet ouvrage. De même encore, tous ceux qui sont portés à juger sommairement une